IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 5228 OF 1998

Jaypal Kothare ..Plaintiff
versus
Atul R. Kothare & Ors. ..Defendants

Ms. J. N. Shah for the Plaintiff.
Mr. Dinesh Purandare i/b. Bhadra Dalal for the Defendant No.1.
Mr. S. Parikh with S. G. Lakhani for the Defendant No.3.

CORAM : S. J. VAZIFDAR, J.
DATE : 20TH FEBRUARY,2006

P.C. :

. The suit is disposed of in terms of the Consent Terms between the Plaintiff and Defendant Nos. 1 and 3. The same have been signed by the said parties and their Advocates , tendered in Court, taken on record and marked 'X' for identification. Refund as per the Rules.

. The Suit as against the Defendant No.2 is withdrawn.

. Defendant No.4 is the Court Receiver. The

Court Receiver shall hand over possession of the property to the Plaintiff and shall stand discharged without passing accounts but subject to payment of costs, charges and expenses.

. The above order is made subject to the realisation of the cheque of Rs.16,50,000/- drawn by the Advocates of Shri Atul Kothare. In the event of the cheque being dishonoured for any reason, the matter shall stand revived. The Undertaking of the Advocate that the cheque will be honoured, is accepted.

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